

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

06 SEP -1 AM 11: 27

AUG 10 2006

DOCKET NO. 1657 OFFICE OF THE CLERK

FILED
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

(SEE ATTACHED SCHEDULE)

8:06cv460

CONDITIONAL TRANSFER ORDER (CTO-60)

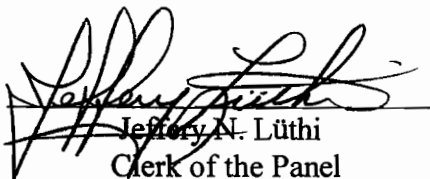
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,215 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Jeffrey N. Lüthi
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

AUG 28 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-60 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

DIST. DIV. C.A. #CASE CAPTION**ALABAMA MIDDLE**

| | |
|-------------------------|--------------------------------------------------------------------------------|
| ALM 1 06-584 | Walter Butler, et al. v. Merck & Co., Inc. |
| ALM 1 06-637 | Ruth Williams v. Merck & Co., Inc. |
| ALM 2 06-557 | Rosie Russaw, etc. v. Merck & Co., Inc., et al. Opposed 8/16/06 |

ALABAMA NORTHERN

| | |
|--------------------------|-----------------------------------------------------------------------------------|
| ALN 2 06-1279 | Betty Whitehead, etc. v. Merck & Co., Inc., et al. Opposed 8/16/06 |
| ALN 2 06-1365 | Patricia Elise Hargrove, etc. v. Merck & Co., Inc. |
| ALN 2 06-1402 | Rhetta McCants, etc. v. Merck & Co., Inc. |
| ALN 2 06-1414 | Mary Jane Seabury, et al. v. Merck & Co., Inc. |
| ALN 2 06-1417 | Adele G. Baras v. Merck & Co., Inc. |
| ALN 2 06-1430 | Kristina McWaters, etc. v. Merck & Co., Inc. |
| ALN 5 06-1416 | Billy F. Shields, et al. v. Merck & Co., Inc. |
| ALN 7 06-1368 | Robert Cox v. Merck & Co., Inc. |

ARKANSAS EASTERN

| | |
|--------------|----------------------------------------|
| ARE 4 06-761 | Glen Bost, et al. v. Merck & Co., Inc. |
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CALIFORNIA EASTERN

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|---------------|----------------------------------------------|
| CAE 2 06-1597 | Patrick Gavigan v. Merck & Co., Inc., et al. |
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CALIFORNIA NORTHERN

| | |
|--------------------------|-----------------------------------------------------------------------------|
| CAN 3 06-4180 | Edward Schwartz v. Merck & Co., Inc., et al. Opposed 8/24/06 |
| CAN 3 06-4497 | Fabrice Malzieu v. Merck & Co., Inc., et al. |

CALIFORNIA SOUTHERN

| | |
|---------------|------------------------------------|
| CAS 3 06-1468 | Leonor Gibson v. Merck & Co., Inc. |
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FLORIDA MIDDLE

| | |
|---------------|--------------------------------------------------|
| FLM 2 06-321 | Hilda Taylor, etc. v. Merck & Co., Inc., et al. |
| FLM 2 06-354 | Joseph Panzera v. Merck & Co., Inc. |
| FLM 2 06-355 | Bobby Lee Joiner v. Merck & Co., Inc. |
| FLM 3 06-606 | Jacob Green, et al. v. Merck & Co., Inc., et al. |
| FLM 5 06-228 | Julian Niedbala v. Merck & Co., Inc., et al. |
| FLM 8 06-1204 | Linda Matrulla v. Merck & Co., Inc., et al. |
| FLM 8 06-1213 | Aida Rivera v. Merck & Co., Inc., et al. |
| FLM 8 06-1229 | Martha Travis v. Merck & Co., Inc., et al. |
| FLM 8 06-1236 | Marshall Dentmon v. Merck & Co., Inc., et al. |
| FLM 8 06-1256 | Rosa Medina v. Merck & Co., Inc. |
| FLM 8 06-1356 | Alan Aronoff v. Merck & Co., Inc., et al. |

FLORIDA NORTHERN

| | |
|-------------------------|----------------------------------------------------------------------------|
| FLN 3 06-288 | Meredith Devoe, et al. v. Merck & Co., Inc. |
| FLN 4 06-353 | Leon Singleton v. Merck & Co., Inc., et al. Vacated 8/22/06 |
| FLN 4 06-356 | Anita Davis v. Merck & Co., Inc., et al. Opposed 8/21/06 |

FLORIDA SOUTHERN

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|----------------|-------------------------------------------|
| FLS 9 06-80640 | Jeff Weisman v. Merck & Co., Inc., et al. |
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SCHEDULE CTO-60 TAG-ALONG ACTIONS (MDL-1657)

PAGE 2 of 4

DIST. DIV. C.A. #CASE CAPTION

GEORGIA NORTHERN

GAN 4 06-163

Gary Knowles, et al. v. Merck & Co., Inc.

HAWAII

HI 1 06-348

Liberta K. Karratti, et al. v. Merck & Co., Inc.

HI 1 06-355

Miyoko Sugano v. Merck & Co., Inc.

HI 1 06-356

John A. Kimmell, II v. Merck & Co., Inc.

HI 1 06-357

Melvin M. Imamura, et al. v. Merck & Co., Inc.

HI 1 06-358

Santago Espinas, et al. v. Merck & Co., Inc.

HI 1 06-359

Thomas Frigge, et al. v. Merck & Co., Inc.

HI 1 06-360

Veronica Edwards v. Merck & Co., Inc.

HI 1 06-361

Geraldine Wabinga v. Merck & Co., Inc.

HI 1 06-362

Wynetta Carl Matsuura, et al. v. Merck & Co., Inc.

HI 1 06-363

Sam Barraco, et al. v. Merck & Co., Inc.

HI 1 06-364

Nelson Adams v. Merck & Co., Inc.

HI 1 06-365

Joseph Scrofani, et al. v. Merck & Co., Inc.

IOWA SOUTHERN

IAS 1 06-20

Donna L. Brown v. Merck & Co., Inc.

IAS 4 06-311

Marilyn Brownell, et al. v. Merck & Co., Inc.

IAS 4 06-353

Vicky L. Pryor, etc. v. Merck & Co., Inc.

IDAHO

ID 2 06-264

John Hove v. Merck & Co., Inc.

ILLINOIS CENTRAL

ILC 2 06-2133

Elizabeth L. Gunning, etc. v. Merck & Co., Inc.

ILC 4 06-4044

Sandra C. Johnson Williamson, etc. v. Merck & Co., Inc.

ILLINOIS NORTHERN

ILN 1 06-3875

Lorraine Cote v. Merck & Co., Inc.

ILN 1 06-3920

Kathryn Fredrick, et al. v. Merck & Co., Inc.

ILLINOIS SOUTHERN

ILS 3 06-543

Trudy Hull v. Merck & Co., Inc.

LOUISIANA WESTERN

LAW 2 06-1263

Barbara C. Walker v. Merck & Co., Inc.

MARYLAND

MD 1 06-1664

Joseph P. Pacheco v. Merck & Co., Inc.

MD 1 06-1665

Louise E. Regan v. Merck & Co., Inc.

MD 1 06-1669

Sandra Banach-Sittler, et al. v. Merck & Co., Inc.

MD 1 06-1670

Harry E. Wink, Jr., et al. v. Merck & Co., Inc.

MD 1 06-1880

Thomas Beck v. Merck & Co., Inc., et al.

MINNESOTA

MN 0 06-2141

Judy Ackland v. Merck & Co., Inc.

MN 0 06-2723

Wendall Adams v. Merck & Co., Inc.

MN 0 06-2834

Kathleen M. O'Hehir-Johnson v. Merck & Co., Inc.

MN 0 06-2835

Ruth A. Silva v. Merck & Co., Inc.

MN 0 06-2836

Elmer P. Rose v. Merck & Co., Inc.

MN 0 06-2837

Norma J. Polman v. Merck & Co., Inc.

MN 0 06-2838

Beverly Tepley v. Merck & Co., Inc.

MN 0 06-2839

Larry R. Karnes v. Merck & Co., Inc.

SCHEDULE CTO-60 TAG-ALONG ACTIONS (MDL-1657)

PAGE 3 of 4

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> |
|---------------------------|--------------------------------------------------------------------------------|
| MN 0 06-2840 | Michele L. Stilinovich v. Merck & Co., Inc. |
| MN 0 06-2841 | Lois N. Salo v. Merck & Co., Inc. |
| MN 0 06-3051 | Walter Harrison v. Merck & Co., Inc. |
| MN 0 06-3110 | Jon Guthmiller, et al. v. Merck & Co., Inc., et al. |
| MISSOURI EASTERN | |
| MOE 4 06-1096 | Marsha Sumrall, etc. v. Merck & Co., Inc. |
| MISSISSIPPI NORTHERN | |
| MSN 2 06-126 | Cary Smith v. Merck & Co., Inc. |
| MISSISSIPPI SOUTHERN | |
| MSS 2 06-182 | Jerry Don West v. Merck & Co., Inc., et al. |
| MSS 3 06-329 | Frederick Resse, etc. v. Merck & Co., Inc. |
| MSS 3 06-375 | William E. Boyd, et al. v. Merck & Co., Inc. |
| MSS 3 06-378 | Wayne Musgrove v. Merck & Co., Inc., et al. |
| NORTH CAROLINA MIDDLE | |
| NCM 1 06-594 | Tammy D. Cole v. Merck & Co., Inc. |
| NEBRASKA | |
| NE 8 06-460 | Thomas C. Kouth v. Merck & Co., Inc. |
| NEVADA | |
| NV 2 06-914 | John James Mangani v. Merck & Co., Inc., et al. Opposed 8/18/06 |
| NEW YORK EASTERN | |
| NYE 1 06-3631 | Eula Daniels v. Merck & Co., Inc. |
| NEW YORK SOUTHERN | |
| NYS 1 06-5074 | Claubette Jackson, et al. v. Merck & Co. Inc. |
| NYS 1 06-5202 | Walesca Quinones, etc. v. Merck & Co., Inc. |
| NYS 1 06-5524 | Cynthia Margolies v. Merck & Co., Inc. |
| NEW YORK WESTERN | |
| NYW 6 06-6331 | Robin Philp v. Merck & Co., Inc. |
| NYW 6 06-6356 | Patricia Neuman v. Merck & Co., Inc., et al. |
| NYW 6 06-6357 | Carolyn Corsoro v. Merck & Co., Inc., et al. |
| NYW 6 06-6358 | William H. Burns, etc. v. Merck & Co., Inc., et al. |
| OHIO NORTHERN | |
| OHN 3 06-1617 | Louise Brown v. Merck & Co., Inc. |
| OHIO SOUTHERN | |
| OHS 1 06-435 | David Boomershire, et al. v. Merck & Co., Inc. |
| OKLAHOMA NORTHERN | |
| OKN 4 06-373 | Gay Lynn Jones v. Merck & Co., Inc. |
| OKLAHOMA WESTERN | |
| OKW 5 06-685 | Ronald Hare, etc. v. Merck & Co., Inc. |
| OKW 5 06-734 | Jane Warren v. Merck & Co., Inc. |
| OKW 5 06-768 | Benjamin Stepeny, etc. v. Merck & Co., Inc. |
| OKW 5 06-769 | Raymond Stapp, et al. v. Merck & Co., Inc. |
| OKW 5 06-771 | Connie Vickery, et al. v. Merck & Co., Inc. |

SCHEDULE CTO-60 TAG-ALONG ACTIONS (MDL-1657)

PAGE 4 of 4

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> |
|-------------------------------|------------------------------------------------------------|
| OREGON | |
| OR 3 06-976 | James J. Wood, et al. v. Merck & Co., et al. |
| OR 6 06-6152 | Lynn Alan Wright, et al. v. Merck & Co., Inc. |
| PENNSYLVANIA EASTERN | |
| PAE 2 06-2826 | Dr. David N. Greenhaw, et al. v. Merck & Co., Inc., et al. |
| PAE 2 06-2838 | George Walls v. Merck & Co., Inc., et al. |
| PAE 2 06-2851 | James Montgomery v. Merck & Co., Inc., et al. |
| PAE 2 06-3062 | Donald Maliszewski v. Merck & Co., Inc., et al. |
| PAE 2 06-3097 | Lowell Bulger, et al. v. Merck & Co., Inc., et al. |
| PAE 2 06-3110 | Jesse Singleton v. Merck & Co., Inc. |
| PAE 2 06-3178 | Debra A. Beyer, et al. v. Merck & Co., Inc., et al. |
| PAE 2 06-3179 | Marie C. Oakley, et al. v. Merck & Co., Inc., et al. |
| PAE 2 06-3180 | Sam S. Pardino, et al. v. Merck & Co., Inc., et al. |
| PAE 2 06-3181 | Gregory D. Kelly, et al. v. Merck & Co., Inc., et al. |
| PAE 2 06-3182 | Sylvia Hauge, et al. v. Merck & Co., Inc., et al. |
| PAE 2 06-3189 | Vivian D. Beckenbaugh v. Merck & Co., Inc. |
| PAE 2 06-3221 | Geroloma F. Walter, etc. v. Merck & Co., Inc., et al. |
| PAE 2 06-3278 | Frances S. Wright v. Merck & Co., Inc., et al. |
| PAE 2 06-3279 | Joan M. Miller, et al. v. Merck & Co. Inc., et al. |
| PENNSYLVANIA WESTERN | |
| PAW 2 06-935 | Janice L. Snyder, etc. v. Merck & Co., Inc., et al. |
| SOUTH DAKOTA | |
| SD 4 06-4126 | Gerald Miller v. Merck & Co., Inc., et al. |
| TEXAS EASTERN | |
| TXE 6 06-302 | Russell Martin v. Merck & Co., Inc. |
| TEXAS NORTHERN | |
| TXN 4 06-460 | Jackson Stockstill v. Merck & Co., Inc. |
| TEXAS SOUTHERN | |
| TXS 3 06-468 | Steven J. Birdwell, et al. v. Merck & Co., Inc. |
| TXS 4 06-2201 | Eunice Alvarado, et al. v. Merck & Co., Inc. |
| TXS 5 06-104 | Reymundo Aguero, etc. v. Merck & Co., Inc. |
| TXS 7 06-203 | Adoralida Salinas, et al. v. Merck & Co., Inc., et al. |
| TEXAS WESTERN | |
| TXW 1 06-528 | Bassam Mahmoud v. Merck & Co., Inc. |
| TXW 5 06-621 | Anthony Ware, et al. v. Merck & Co., Inc. |
| TXW 6 06-183 | Keifer Marshall, Jr. v. Merck & Co., Inc. |
| VIRGINIA EASTERN | |
| VAE 2 06-363 | Ellen P. Bailey, et al. v. Merck & Co., Inc. |
| WISCONSIN WESTERN | |
| WIW 3 06-373 | John Matthews, et al. v. Merck & Co., Inc. |
| WEST VIRGINIA SOUTHERN | |
| WVS 2 06-500 | Mildred E. Tanyhill, et al. v. Merck & Co., Inc. |
| WVS 5 06-509 | Mary Andrews v. Merck & Co., Inc. |
| WVS 5 06-519 | Nancy Shelton v. Merck & Co., Inc. |

INVOLVED COUNSEL LIST (CTO-60)
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

Reymundo Agüero
 311 East Montgomery
 Laredo, TX 78040

Christopher Tod Alley
 Alley, Clark, Greiwe & Fulmer
 701 East Washington Street
 P.O. Box 3127
 Tampa, FL 33601-3127

Tyler J. Anderson
 Moffatt, Thomas, Barrett, Rock
 & Fields, Chtd.
 101 S. Capitol Blvd., 10th Floor
 P.O. Box 829
 Boise, ID 83701

Erik T. Atkisson
 Reed Smith, LLP
 Two Embarcadero Center
 Suite 2000
 San Francisco, CA 94111

Stephen D. Bachman
 Holloway Dobson & Bachman, P.C.
 One Leadership Square
 211 N. Robinson Avenue
 Suite 900 North
 Oklahoma City, OK 73102-7102

Dan H. Ball
 Bryan Cave, LLP
 One Metropolitan Square
 211 N. Broadway, Suite 3600
 St. Louis, MO 63102-2750

Cindy K. Bennes
 Phillips, Lytle, LLP
 3400 HSBC Center
 Buffalo, NY 14203

Andy D. Birchfield, Jr.
 Beasley, Allen, Crow, Methvin, Portis
 & Miles, PC
 P.O. Box 4160
 Montgomery, AL 36103-4160

Jeffrey A. Bowersox
 Savage, Bowersox, Supperstein, LLP
 620 S.W. Fifth Avenue
 Suite 1125
 Portland, OR 97204

Kevin R. Boyle
 Panish, Shea & Boyle, LLP
 11111 Santa Monica Boulevard
 Suite 700
 Los Angeles, CA 90025

Rickey J. Brantley
 Jose, Henry, Brantley & Keltner
 675 North Henderson Street
 Ft. Worth, TX 76107

Peter D. Braun
 Phillips Lytle, LLP
 3400 HSBC Center
 Buffalo, NY 14203-2887

Michael K. Brown
 Reed Smith, LLP
 355 South Grand Avenue
 Suite 2900
 Los Angeles, CA 90071-1514

Terry Bryant
 Terry Bryant, L.L.P.
 West Memorial Office Park
 8584 Katy Freeway, Suite 100
 Houston, TX 77024

Brandon L. Buchanan
 McAfee & Taft
 211 North Robinson Avenue
 Two Leadership Square
 10th Floor
 Oklahoma City, OK 73102

Elizabeth J. Cabraser
 Lieff, Cabraser, Heimann
 & Bernstein, LLP
 Embarcadero Center West
 275 Battery Street, 30th Floor
 San Francisco, CA 94111-3339

Kent Carnell
 Lawton & Cates
 P.O. Box 2965
 Madison, WI 53701-2965

Ralph E. Chapman
 Chapman, Lewis & Swan
 P.O. Box 428
 Clarksdale, MS 38614-0428

Amanda M. Cialkowski
 Halleland, Lewis, Nilan
 & Johnson, P.A.
 220 South 6th Street
 Suite 600
 Minneapolis, MN 55402

Bruce L. Cook
 Cook Brown, LLC
 8554 Alice Ave.
 Clive, IA 50325

Jay Calvert Cooper
 Cooper & Nelson, LLP
 1404 Dean Street
 Suite 201
 Ft Myers, FL 33901

Timothy C. Davis
 Heninger, Garrison & Davis, LLC
 2224 First Avenue North
 P.O.Box 11310
 Birmingham, AL 35202

Charles A. Deacon
 Fulbright & Jaworski, L.L.P.
 300 Convent Ste 2200
 San Antonio, TX 78205

William Dinkes
 Dinkes & Schwitzer
 112 Madison Avenue
 10th Floor
 New York, NY 10016

Amy L. Donohue-Babiak
 Gollatz, Griffin & Ewing, PC
 Four Penn Center
 1600 JFK Blvd.
 Suite 200
 Philadelphia, PA 19103-2793

Jeffrey Keith Douglas
 Morris, Manning & Martin, LLP
 1600 Atlanta Financial Center
 3343 Peachtree Road, N.E.
 Atlanta, GA 30326-4160

John J. Driscoll
 Brown & Crouppen, PC
 720 Olive Street
 Suite 1800
 St. Louis, MO 63101-2302

INVOLVED COUNSEL LIST (CTO-60) MDL-1657

PAGE 2 of 5

Jacqueline L.S. Earle
Goodsill, Anderson, Quinn & Stifel
1800 Alii Place
1099 Alakea Street
Honolulu, HI 96813-2639

Elizabeth A. Ellis
Cory, Watson, Crowder
& DeGaris, PC
2131 Magnolia Avenue
Suite 200
P.O. Box 55927
Birmingham, AL 35205-5972

Wayne E. Ferrell, Jr.
405 Tombigbee Street
P.O. Box 24448
Jackson, MS 39225-4448

H. Bruce Fischer
H. Bruce Fischer, PC
45 Rockefeller Plaza, Suite 2916
New York, NY 10111

William F. Fitzpatrick
Fitzpatrick & Fitzpatrick
36 West Randolph, # 301
Chicago, IL 60601

Richard L. Francis
Law Offices of Richard L. Francis
& Assoc., P.C.
Heritage Square
711 South "A" Street
Oxnard, CA 93030-7178

Elisabeth Ann French
Pittman, Hooks, Dutton, Kirby
& Hellums, PC
1100 Park Place Tower
2001 Park Place
Birmingham, AL 35203

Daniel N. Gallucci
Roda & Nast, P.C.
801 Estelle Drive
Lancaster, PA 17601

Blanca P. Galo
Fulbright & Jaworski, L.L.P.
300 Convent Street, Suite 2200
San Antonio, TX 78205-3792

D. Sharon Gentry
Riggs, Abney, Neal, Turpen, Orbison
& Lewis
5801 N Broadway Avenue, Suite 101
Oklahoma City, OK 73118

Geoffrey L. Gifford
Pavalon, Gifford, Laatsch & Marino
Two North LaSalle Street
Suite 1600
Chicago, IL 60602

David N. Gillis
405 Tombigbee Street
Jackson, MS 39201

Brian A. Goldstein
Barnes Firm, P.C.
17 Court Street
7th Floor
Buffalo, NY 14202-3290

Michael Jay Green
Queen Street Building
345 Queen Street
2nd Floor
Honolulu, HI 96813

Ellen M. Gregg
Womble, Carlyle, Sandridge
& Rice, P.L.L.C.
301 North Main Street, Suite 300
Winston-Salem, NC 27101

Mark Adam Griffin
Keller Rohrbach, L.L.P.
1201 Third Avenue
Suite 3200
Seattle, WA 98101-3052

Marco K. Guerrero
Jacks Law Firm
1010 One Congress Plaza
111 Congress Ave.
Austin, TX 78701

Steven Guinn
Laxalt & Nomura, Ltd.
9600 Gatewat Drive
Reno, NV 89521

Alan Thomas Hargrove, Jr.
Rushton, Stakely, Johnston
& Garrett, PA
184 Commerce Street
P.O. Box 270
Montgomery, AL 36101-0270

Joan N. Harrop
Law Offices of Gomien & Harrop
220 West Main Street
Suite 300
Morris, IL 60450

Bryan S. Hatch
Stinson, Morrison Law Firm
1299 Farnam Street
Suite 1501
Omaha, NE 68102

Marcus Edward Hayes, Sr.
Crumley & Associates, P.C.
2400 Freeman Mill Rd.
Suite 200
Greensboro, NC 27406

Vilia B. Hayes
Hughes, Hubbard & Reed, LLP
One Battery Park Plaza
New York, NY 10004

Larry D. Helvey
Moyer & Bergman, P.L.C.
2720 1st Avenue, NE
P.O. Box 1943
Cedar Rapids, IA 52406-1943

Jay H. Henderson
Cruse Scott Henderson & Allen, LLP
2777 Allen Parkway
7th Floor
Houston, TX 77019-2133

Russ M. Herman
Herman, Herman, Katz & Cotlar, L.L.P.
820 O'Keefe Avenue
New Orleans, LA 70113

Jeffrey A. Holmstrand
McDermott & Bonenberger, PLLC
53 Washington Avenue
Wheeling, WV 26003-0316

John Hornbeck
Brandi Law Firm
44 Montgomery Street
Suite 1050
San Francisco, CA 94104

Andrew Burns Johnson
Bradley, Arant, Rose & White
One Federal Place
1819 Fifth Avenue North
P.O. Box 830709
Birmingham, AL 35203-2119

Alyson B. Jones
Butler Snow O'Mara Stevens
& Cannada
P.O. Box 22567
Jackson, MS 39225-2567

INVOLVED COUNSEL LIST (CTO-60) MDL-1657

PAGE 3 of 5

Christy D. Jones
Butler, Snow, O'Mara, Stevens
& Cannada, PLLC
P.O. Box 22567
Jackson, MS 39225-2567

Richard L. Josephson
Baker Botts LLP
One Shell Plaza
910 Louisiana Street
Suite 3000
Houston, TX 77002-9934

Patricia J. Kasputys
Law Offices of Peter G. Angelos, P.C.
One Charles Center
100 North Charles Street, 20th Floor
Baltimore, MD 21201

Peter L. Kaufman
Levin Papantonio Thomas, et al.
316 South Baylen Street, Suite 600
P.O. Box 12308
Pensacola, FL 32502-5996

Will Kemp
Harrison, Kemp & Jones, Chtd.
3800 Howard Hughes Parkway
17th Floor
Las Vegas, NV 89109

S. Tessie Kenny
Dechert LLP
Cira Centre
2929 Arch Street
Philadelphia, PA 19104-2808

Cindy J. Kiblinger
James F. Humphreys & Associates, LC
800 United Center
500 Virginia Street, East
Charleston, WV 25301

Anthony Y. K. Kim
Galiher, DeRobertis, Nakamura, Ono
& Takitani
610 Ward Avenue, Suite 200
Honolulu, HI 96814-3308

Rosalie Euna Kim
Reed Smith, LLP
Two Embarcadero Center
Suite 2000
San Francisco, CA 94111

Norman C. Kleinberg
Hughes Hubbard & Reed, LLP
One Battery Park Plaza, 12th Floor
New York, NY 10004-1482

Kristopher E. Koepsel
Riggs, Abney, Neal, Turpen, Orbison
& Lewis
502 West 6th Street
Tulsa, OK 74119-1010

Andrew J. Lee
Schwabe, Williamson & Wyatt
1600-1900 Pacwest Center
1211 SW 5th Avenue
Suites 1600 - 1900
Portland, OR 97204-3795

Patricia E. Lowry
Squire, Sanders & Dempsey, LLP
1900 Phillips Point West
777 South Flagler Drive
West Palm Beach, FL 33401-6198

Robert J. Lynott
Thomas & Libowitz
100 Light Street
Suite 1100
Baltimore, MD 21202-1053

Thomas J. Lyons, Sr.
Lyons Law Firm, P.A.
367 Commerce Court
Van Heights, MN 55127

Alissa J. Magenheimer
O'Connor, Acciani & Levy
2200 Kroger Building
1014 Vine Street
Cincinnati, OH 45202

G. Trent Marquis
Vanderginst Law, PC
400 16th Street
Rock Island, IL 61201

Ramona Martinez
Cowles & Thompson, P.C.
901 Main Street
Suite 4000
Dallas, TX 75202-3793

Shilpa Supna Masih
Brock, Clay, Calhoun, Wilson & Rogers
49 Atlanta Street
Marietta, GA 30060-8611

Floyd L. Matthews, Jr.
Spohrer, Wilner, Maxwell
& Matthews, P.A.
701 West Adams Street
Suite 2
Jacksonville, FL 32204

Theodore V. Mayer
Hughes Hubbard & Reed, LLP
One Battery Park Plaza
New York, NY 10004

William T. McCall
Guillory & McCall
P.O. Box 1607
Lake Charles, LA 70602

Robert R. McCoy
Morris, Pickering, Peterson & Trachok
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101

Andrea L. McDonald-Hicks
Reed Smith, LLP
1999 Harrison Street
Suite 2400
Oakland, CA 94612-2084

Gregory N. McEwen
McEwen Law Firm, PLLP
5850 Blackshire Path
Inver Grove Heights, MN 55076

John V. Mejia
Law Offices of John V. Mejia
50 California Street, Suite 1500
San Francisco, CA 94111

Gerald Miller
Nbr. 35867
South Dakota State Penitentiary
P.O. Box 5911
Sioux Falls, SD 57117-5911

Anita K. Modak-Truran
Butler, Snow, O'Mara, Stevens
& Cannada, PLLC
P.O. Box 22567
Jackson, MS 39225-2567

F. Chadwick Morris
Rushton, Stakely, Johnston
& Garrett, PA
P.O. Box 270
Montgomery, AL 36101-0270

Susan L. Nardone
Gibbons, Del Deo, Dolan,
Griffinger, et al.
One Riverfront Plaza
Newark, NJ 07102-5497

INVOLVED COUNSEL LIST (CTO-60) MDL-1657

PAGE 4 of 5

Martha Neese
Neese Law Firm
12842 Glen Way
Apple Valley, MN 55124

Terry S. Nelson
Cooper & Nelson, LLP
1404 Dean Street, Suite 201
Ft Myers, FL 33901-2858

Donald W. O'Brien, Jr.
Woods, Oviatt & Gilman, LLP
700 Crossroads Building
Two State Street
Rochester, NY 14614

Christopher M. O'Neal
Parks & Crump, L.L.C.
240 North Magnolia Drive
Tallahassee, FL 32301

Staci B. O'Neal
O'Neal Law Firm
1888 Main Street
Suite C #177
Madison, MS 39110

Brian J. Panish
Panish, Shea & Boyle, LLP
11111 Santa Monica Blvd., Suite 700
Los Angeles, CA 90025

Robb W. Patryk
Hughes Hubbard & Reed, LLP
One Battery Park Plaza
New York, NY 10004

Alan H. Perer
Swensen, Perer & Kontos
Two Oliver Plaza, Suite 2501
Pittsburgh, PA 15219

Amy D. Prevatt
Alley, Clark, Greiwe & Fulmer
701 East Washington Street
P.O. Box 3127
Tampa, FL 33601-3127

George Quesada
Sommerman & Quesada
3811 Turtle Creek Blvd.
Suite 1400
Dallas, TX 75219-4461

Rachael M. Raymon
Levin Papantonio Thomas, et al.
316 S Baylen Street, Suite 600
P.O. Box 12308
Pensacola, FL 32581

M. David Riggs
Riggs, Abney, Neal, Turpen,
Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119

Kenneth S. Saffren
Saffren & Weinberg
815 Greenwood Avenue
Suite 22
Jenkintown, PA 19046

Shelly A. Sanford
Goforth Lewis Sanford, LLP
1111 Bagby\, Suite 2200
Houston, TX 77002

Joshua G. Schiller
Dechert LLP
Cia Centre
2929 Arch Street
Philadelphia, PA 19104

Michael D. Shalhoub
Heidell, Pittoni, Murphy
& Bach, LLP
99 Park Ave.
New York, NY 10016

Brian Alan Sher
Bryan Cave, LLP
161 North Clark, #4300
Chicago, IL 60601-3206

James M. Simpson, Jr.
Friday, Eldredge & Clark, LLP
First Commercial Bldg..
Suite 2000
400 West Capitol Avenue
Little Rock, AR 72201-3493

Jonathan B. Skidmore
Fulbright & Jaworski, L.L.P.
Texas Commerce Bank Tower
2200 Ross Avenue
Suite 2800
Dallas, TX 75201-2784

Jo L. Slama
Slama Legal Group
4301 SW 3rd Street, Suite 100
Oklahoma City, OK 73108

Daniel Briggs Smith, Jr.
Smith, Phillips, Mitchell & Scott
P.O. Box 1586
Batesville, MS 38606

Lowell Alan Stanley
6330 Newtown Road
P.O. Box 12639
Norfolk, VA 23451-0639

Jason M. Steffens
Simmons, Perrine, Albright & Ellwood
115 Third Street, SE
Suite 1200
Cedar Rapids, IA 52401

Marcus Stevenson
Goforth Lewis Sanford, LLP
1111 Bagby, Suite 2200
Houston, TX 77002

Dori K. Stibolt
Squire, Sanders & Dempsey, LLP
1900 Phillips Point W.
777 S. Flagler Drive
West Palm Beach, FL 33401-6198

Paul F. Strain
Venable, LLP
1800 Mercantile Bank & Trust Building
2 Hopkins Plaza
Baltimore, MD 21201-2978

Stephen G. Strauss
Bryan Cave, LLP
One Metropolitan Square
211 N. Broadway, Suite 3600
St. Louis, MO 63102-2750

Dawn T. Sugihara
Goodsill Anderson Quinn & Stifel
Alii Place
1099 Alakea Street
Suite 1800
Honolulu, HI 96813-2639

Alexander M. Sukhman
Kralovec, Jambois & Schwartz
Goodman Theatre Building
60 West Randolph Street, 4th Floor
Chicago, IL 60601

Robert Martin Tata
Hunton & Williams
500 East Main Street, Suite 1000
Norfolk, VA 23510

Craig W. Trepanier
Trepanier & MacGillis, PA
310 4th Ave. S.
Suite 8000
Minneapolis, MN 55415

INVOLVED COUNSEL LIST (CTO-60) MDL-1657

PAGE 5 of 5

Chad M. Tuschman
Williams, Jilek, Lafferty, Gallagher & Scott Co.
500 Toledo Legal Building
416 North Erie Street
Toledo, OH 43624-1696

Thomas F. Urban, II
James F. Humphreys & Associates, LC
1200 New Hampshire Avenue, N.W.
Suite 510
Washington, DC 20036

Craig K. Vernon
James, Vernon & Weeks
1875 North Lakewood Drive
#200
Coeur d'Alene, ID 83814

J. Michael Vernon
Bice, Palermo & Veron
713 Kirby Street
P.O. Box 2125
Lake Charles, LA 70602-2125

Theresa M. Walsh
Brown & Chiari, LLP
5775 Broadway
Lancaster, NY 14086

Leila H. Watson
Cory, Watson, Crowder & DeGaris, PC
2131 Magnolia Avenue
Suite 200
P.O. Box 55927
Birmingham, AL 35255-5972

Robin G. Weaver
Squire, Sanders & Dempsey, L.L.P.
4900 Key Tower
127 Public Square
Cleveland, OH 44114-1304

Seth Sharrock Webb
Brown & Crouppen, PC
720 Olive Street
Suite 1800
St. Louis, MO 63101

Mark A. Weber
Walentine, O'Toole, McQuillan & Gordon
11240 Davenport Street
P.O. Box 540125
Omaha, NE 68154-0125

Michael M. Weinkowitz
Levin, Fishbein, Sedran & Berman
510 Walnut Street
Suite 500
Philadelphia, PA 19106

Rob Williamson
Williamson & Williamson
811 First Avenue
Suite 620
Seattle, WA 98104

Benjamin C. Wilson
Rushton, Stakely, Johnston & Garrett, PA
184 Commerce Street
P.O. Box 270
Montgomery, AL 36101-0270

Gary L. Wilson
Robins, Kaplan, Miller & Ciresi
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015

Phillip A. Wittmann
Stone, Pigman, Walther & Wittmann, LLC
546 Carondelet Street
New Orleans, LA 70130-3588

E. Frank Woodson
Beasley, Allen, Crow, Methvin, Portis & Miles, PC
218 Commerce Street
P.O. Box 4160
Montgomery, AL 36103-4160

Alexander W. Wright
Wayne Wright, LLP
5707 IH-10 West
Suite 101
San Antonio, TX 78201

INVOLVED JUDGES LIST (CTO-60)
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

Hon. William M. Acker, Jr.
 Senior U.S. District Judge
 481 Hugo L. Black U.S. Courthouse
 1729 5th Avenue, North
 Birmingham, AL 35203-0065

Hon. Donetta W. Ambrose
 Chief Judge, U.S. District Court
 3280 U.S. Post Office & Courthouse
 700 Grant Street
 Pittsburgh, PA 15219-1906

Hon. Wayne R. Andersen
 U.S. District Judge
 Everett McKinley Dirksen
 U.S. Courthouse
 219 South Dearborn Street
 Chicago, IL 60604

Hon. Nancy F. Atlas
 U.S. District Judge
 9015 Bob Casey U.S. Courthouse
 515 Rusk Street
 Houston, TX 77002

Hon. Henry E. Autrey
 U.S. District Judge
 10N Thomas F. Eagleton
 U.S. Courthouse
 111 South Tenth Street
 St. Louis, MO 63102

Hon. Harold A. Baker
 Senior U.S. District Judge
 338 U.S. Courthouse
 201 South Vine Street
 Urbana, IL 61801

Hon. Richard H. Battey
 U.S. District Judge
 515 Ninth Street, Room 260
 Rapid City, SD 57701

Hon. Samuel F. Biery
 U.S. District Judge
 John H. Wood, Jr., U.S. Courthouse
 655 East Durango Boulevard
 San Antonio, TX 78206-1198

Hon. Delores R. Boyd
 U.S. Magistrate Judge
 United States District Court
 P.O. Box 430
 Montgomery, AL 36101-0430

Hon. Anita B. Brody
 U.S. District Judge
 4000 James A. Byrne U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106

Hon. Naomi Reice Buchwald
 U.S. District Judge
 2270 Daniel Patrick Moynihan
 U.S. Courthouse
 500 Pearl Street
 New York, NY 10007-1312

Hon. Susan C. Bucklew
 U.S. District Judge
 1430 Sam M. Gibbons
 U.S. Courthouse
 801 North Florida Avenue
 Tampa, FL 33602

Hon. Elaine E. Bucklo
 U.S. District Judge
 1446 Everett M. Dirksen
 U.S. Courthouse
 219 S. Dearborn Street
 Chicago, IL 60604

Hon. Ronald L. Buckwalter
 Senior U.S. District Judge
 14614 James A. Byrne U.S.
 Courthouse
 601 Market Street
 Philadelphia, PA 19106-1797

Hon. James G. Carr
 Chief Judge, U.S. District Court
 210 U.S. Courthouse
 1716 Spielbusch Avenue
 Toledo, OH 43624

~~Hon. Edward M. Chen~~
~~U.S. Magistrate Judge~~
~~Phill Burton U.S. Courthouse~~
~~450 Golden Gate Avenue~~
~~Box 36060~~
~~San Francisco, CA 94102~~

Hon. U. W. Clemon
 Chief Judge, U.S. District Court
 882 Hugo L. Black U.S. Courthouse
 1729 Fifth Avenue North
 Birmingham, AL 35203-2000

Hon. Thomas Coffin
 U.S. Magistrate Judge
 U.S. Courthouse
 211 East 7th Avenue
 Eugene, OR 97401

Hon. L. Scott Coogler
 U.S. District Judge
 786 Hugo L. Black U.S. Courthouse
 1729 Fifth Avenue North
 Birmingham, AL 35203-2000

Hon. Randy Crane
 U.S. District Judge
 U.S. District Court
 1701 W. Business Highway 83
 Suite 928
 McAllen, TX 78501

Hon. Frank C. Damrell, Jr.
 U.S. District Judge
 15-200 U.S. Courthouse
 501 I Street
 Sacramento, CA 95814-2322

Hon. George B. Daniels
 U.S. District Judge
 630 Daniel Patrick Moynihan
 U.S. Courthouse
 500 Pearl Street
 New York, NY 10007

Hon. Andre M. Davis
 U.S. District Judge
 5B Edward A. Garmatz Fed. Bldg.
 & U.S. Courthouse
 101 West Lombard Street
 Baltimore, MD 21201-2615

Hon. Leonard E. Davis
 U.S. District Judge
 United States District Court
 106 Federal Building
 211 West Ferguson Street
 Tyler, TX 75702

INVOLVED JUDGES LIST (CTO-60) MDL-1657

PAGE 2 of 4

Hon. Michael J. Davis
U.S. District Judge
14E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

~~Hon. Kent J. Dawson
U.S. District Judge
6006 Lloyd D. George
U.S. Courthouse
333 Las Vegas Blvd., South
Las Vegas, NV 89101~~

Hon. Claire V. Eagan
Chief Judge, U.S. District Court
411 Page Belcher Federal Bldg.
& U.S. Courthouse
333 West Fourth Street
Tulsa, OK 74103

Hon. Joan N. Ericksen
U.S. District Judge
12W U.S. Courthouse
300 South 4th Street
Minneapolis, MN 55415

Hon. David A. Ezra
U.S. District Judge
C-400 Prince Kuhio Federal Building
300 Ala Moana Boulevard
Honolulu, HI 96850

Hon. David A. Faber
Chief Judge, U.S. District Court
601 Federal Street
Room 2303
Bluefield, WV 24701

Hon. Patricia C. Fawsett
Chief Judge, U.S. District Court
611 George C. Young U. S. Courthouse
80 North Hughey Avenue
Orlando, FL 32801

Hon. John P. Fullam
Senior U.S. District Judge
15614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1780

~~Hon. Mark E. Fuller
Chief Judge, U.S. District Court
A-300 U.S. Courthouse
One Church Street
Montgomery, AL 36104~~

Hon. Helen W. Gillmor
Chief Judge, U.S. District Court
C-400 Prince Kuhio Federal
Building
300 Ala Moana Boulevard
Honolulu, HI 96850-0001

Hon. James E. Gritzner
U.S. District Judge
U.S. District Court
P.O. Box 9344
Des Moines, IA 50306

Hon. Joe L. Heaton
U.S. District Judge
1210 U.S. Courthouse
200 Northwest 4th Street
Oklahoma City, OK 73102

Hon. David R. Herndon
U.S. District Judge
P.O. Box 259
E. St. Louis, IL 62202-0259

~~Hon. Robert L. Hinkle
Chief Judge, U.S. District Court
U.S. Courthouse Annex
111 North Adams Street
Suite 595
Tallahassee, FL 32301~~

Hon. Wm. Terrell Hodges
Senior U.S. District Judge
Golden-Collum Fed. Bldg. &
U.S. Courthouse, Box 11
207 Northwest Second Street
Ocala, FL 34475

Hon. J. Leon Holmes
Chief Judge, U.S. District Court
360 Richard Sheppard Arnold
U.S. Courthouse
600 West Capitol Avenue
Little Rock, AR 72201

Hon. Virginia Emerson Hopkins
U.S. District Judge
U.S. District Court
619 Hugo L. Black U.S. Courthouse
1729 Fifth Avenue, North
Birmingham, AL 35203

Hon. Maria-Elena James
U.S. Magistrate Judge
15-5698 Phillip Burton
U.S. Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102-3434

Hon. Sterling Johnson, Jr.
Senior U.S. District Judge
720 S United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Hon. J. Curtis Joyner
U.S. District Judge
8613 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Hon. Marvin Katz
Senior U.S. District Judge
13613 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797

Hon. Bruce W. Kauffman
U.S. District Judge
5613 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1776

Hon. George P. Kazen
U.S. District Judge
P.O. Box 1060
Laredo, TX 78042-1060

Hon. Samuel B. Kent
U.S. District Judge
613 U.S. Courthouse
601 25th Street
Galveston, TX 77550

Hon. Garr M. King
U.S. District Judge
907 Mark O. Haftfield U.S. Courthouse
1000 SW Third Avenue
Portland, OR 97204-2902

Hon. Samuel P. King
Senior U.S. District Judge
C-461 Prince Kuhio Federal Building
300 Ala Moana Boulevard
Honolulu, HI 96850

Hon. Elizabeth A. Kovachevich
U.S. District Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
17th Floor
Tampa, FL 33602

Hon. Richard H. Kyle
Senior U.S. District Judge
760 Warren E. Burger Federal Bldg.
316 N. Robert Street
St. Paul, MN 55101

INVOLVED JUDGES LIST (CTO-60) MDL-1657

PAGE 3 of 4

Hon. David G. Larimer
U.S. District Judge
250 Kenneth B. Keating Fed. Bldg.
100 State Street
Rochester, NY 14614-1324

Hon. Tom S. Lee
Senior U.S. District Judge
110 James O. Eastland
U.S. Courthouse
245 East Capitol Street
Jackson, MS 39201

Hon. Tim Leonard
U.S. District Judge
5012 U.S. Courthouse
200 N.W. 4th Street
Oklahoma City, OK 73102

Hon. Edward J. Lodge
U.S. District Judge
James A. McClure Federal
Building & U.S. Courthouse
550 West Fort Street
Boise, ID 83724-0101

Hon. M. James Lorenz
U.S. District Judge
5145 Edward J. Schwartz
U.S. Courthouse
940 Front Street
San Diego, CA 92101

Hon. John H. McBryde
U.S. District Judge
401 U.S. Courthouse
501 West 10th Street
Fort Worth, TX 76102

Hon. Steven D. Merryday
U.S. District Judge
15A Sam M. Gibbons
U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602

~~Hon. Stephan P. Mickle
U.S. District Judge
367 Federal Building
401 Southeast First Avenue
Gainesville, FL 32601~~

Hon. Donald M. Middlebrooks
U.S. District Judge
Federal Building, 2nd Floor
701 Clematis Street
West Palm Beach, FL 33401

Hon. Michael M. Mihm
U.S. District Judge
204 Federal Building
100 N.E. Monroe Street
Peoria, IL 61602

Hon. Vicki Miles-LaGrange
U.S. District Judge
5011 U.S. Courthouse
200 N.W. 4th Street
Oklahoma City, OK 73102

Hon. Patricia H. Minaldi
U.S. District Judge
328 Edwin F. Hunter, Jr. U.S.
Courthouse & Federal Building
611 Broad Street
Lake Charles, LA 70601

Hon. Susan Oki Mollway
U.S. District Judge
C-409 Prince Kuhio Federal Building
300 Ala Moana Boulevard
Honolulu, HI 96850-0001

Hon. Ann D. Montgomery
U.S. District Judge
13W U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Hon. James S. Moody, Jr.
U.S. District Judge
13A Sam M. Gibbons
U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602

Hon. Harold L. Murphy
U.S. District Judge
P.O. Drawer 53
Rome, GA 30162-0053

Hon. Thomas N. O'Neill, Jr.
Senior U.S. District Judge
4007 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Hon. John R. Padova
U.S. District Judge
6614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1759

Hon. W. Allen Pepper, Jr.
U.S. District Judge
329 Federal Building
305 Main Street
Greenville, MS 38701

Hon. Robert W. Pratt
Chief Judge, U.S. District Court
429 U.S. Courthouse
123 East Walnut Street
Des Moines, IA 50309

Hon. Gene E.K. Pratter
U.S. District Judge
United States District Court
5118 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1796

Hon. William D. Quarles, Jr.
United States District Court
Edward A. Garmatz Fed. Bldg.
& U.S. Courthouse
101 West Lombard Street
Baltimore, MD 21201

Hon. M. Casey Rodgers
U.S. District Judge
U.S. District Court
One North Palafox Street
Suite 460
Pensacola, FL 32501-5625

Hon. James M. Rosenbaum
Chief Judge, U.S. District Court
15E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Hon. David L. Russell
U.S. District Judge
3309 U.S. Courthouse
200 N.W. 4th Street
Oklahoma City, OK 73102

Hon. Juan R. Sanchez
U.S. District Judge
United States District Court
20613 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797

Hon. Timothy J. Savage
U.S. District Judge
7614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

INVOLVED JUDGES LIST (CTO-60) MDL-1657

PAGE 4 of 4

Hon. Berle M. Schiller
U.S. District Judge
5614 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Hon. Patrick J. Schiltz
U.S. District Judge
U.S. District Court
Warren E. Burger Federal Building
316 North Robert Street
St. Paul, MN 55101

Hon. Harvey E. Schlesinger
Senior U.S. District Judge
300 N. Hogan Street
Suite 11-150
Jacksonville, FL 32202

Hon. J. Michael Seabright
U.S. District Judge
United States District Court
C-435 Prince Kuhio Federal Bldg.
300 Ala Moana Boulevard
Honolulu, HI 96850-0001

Hon. John C. Shabaz
U.S. District Judge
P.O. Box 591
Madison, WI 53701

Hon. Norma L. Shapiro
Senior U.S. District Judge
10614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1774

Hon. C. Lynwood Smith, Jr.
U.S. District Judge
207 U.S. Post Office & Courthouse
101 Holmes Avenue, N.E.
Huntsville, AL 35801

Hon. Rebecca Beach Smith
U.S. District Judge
358 Walter E. Hoffman U.S. Courthouse
600 Granby Street
Norfolk, VA 23510-1915

Hon. Walter S. Smith, Jr.
Chief Judge, U.S. District Court
301 Federal Building
800 Franklin Avenue
Waco, TX 76701

Hon. S. Arthur Spiegel
Senior U.S. District Judge
838 Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, OH 45202

Hon. Keith Starrett
U.S. District Judge
U.S. District Court
228 U.S. Courthouse Federal Bldg.
701 N. Main Street
Hattiesburg, MS 39401

Hon. Lyle E. Strom
Senior U.S. District Judge
3190 Roman L. Hruska
U.S. Courthouse
111 South 18th Plaza
Omaha, NE 68102

Hon. Myron H. Thompson
U.S. District Judge
P.O. Box 235
Montgomery, AL 36101-0235

Hon. Ralph G. Thompson
Senior U.S. District Judge
3301 U.S. Courthouse
200 N.W. 4th Street
Oklahoma City, OK 73102

Hon. John R. Tunheim
U.S. District Judge
13E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Hon. Henry T. Wingate
Chief Judge, U.S. District Court
109 James O. Eastland U.S. Courthouse
245 East Capitol Street
Jackson, MS 39201

Hon. Charles R. Wolle
Senior U.S. District Judge
U.S. Courthouse, Suite 103
123 East Walnut Street
Des Moines, IA 50309

Hon. Lee Yeakel
U.S. District Judge
U.S. Courthouse
200 W. 8th Street
Suite 200
Austin, TX 78701

INVOLVED CLERKS LIST (CTO-60)
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

Arlen B. Coyle, Clerk
 369 Fed. Bldg. & U.S. Courthouse
 911 Jackson Avenue East
 Oxford, MS 38655-3622

Cameron S. Burke, Clerk
 205 North 4th Street
 Second Floor
 Coeur d'Alene, ID 83814

Clarence Maddox, Clerk
 Federal Courthouse Square
 301 North Miami Avenue
 Miami, FL 33128-7788

David J. Maland, Clerk
 106 Federal Building
 211 W. Ferguson Street
 Tyler, TX 75702

Debra P. Hackett, Clerk
 U.S. District Court
 P.O. Box 711
 Montgomery, AL 36101-0711

Denise Lucks, Clerk
 1152 Roman L. Hruska
 U.S. Courthouse
 111 South 18th Plaza
 Omaha, NE 68102-1322

Donald M. Cinnamond, Clerk
 100 Fed. Bldg. & U.S. Courthouse
 211 East 7th Avenue
 Eugene, OR 97401

Donald M. Cinnamond, Clerk
 740 Mark O. Hatfield
 U.S. Courthouse
 1000 Southwest Third Avenue
 Portland, OR 97204-2902

Felicia C. Cannon, Clerk
 Edward A. Garmatz Federal
 Building & U.S. Courthouse
 101 W. Lombard Street
 Baltimore, MD 21201-2690

Fernando Galindo, Acting Clerk
 193 Walter E. Hoffman
 U.S. Courthouse
 600 Granby Street
 Norfolk, VA 23510-1915

Geri M. Smith, Clerk
 114 U.S. Courthouse
 1716 Spielbusch Avenue
 Toledo, OH 43624-1347

J. Michael McMahon, Clerk
 Daniel Patrick Moynihan
 U.S. Courthouse
 500 Pearl Street
 New York, NY 10007-1312

J.T. Noblin, Clerk
 200 U.S. Courthouse & Fed. Bldg.
 701 North Main Street
 Hattiesburg, MS 39401

J.T. Noblin, Clerk
 P.O. Box 23552
 Jackson, MS 39225-3552

Jack L. Wagner, Clerk
 4-200 U.S. Courthouse
 501 I Street
 Sacramento, CA 95814-2322

James Bonini, Clerk
 324 Potter Stewart U.S. Courthouse
 100 East Fifth Street
 Cincinnati, OH 45202

James G. Woodward, Clerk
 3300 Thomas F. Eagleton
 U.S. Courthouse
 111 South Tenth Street
 St. Louis, MO 63102-1116

James W. McCormack, Clerk
 402 U.S. Post Office & Courthouse
 600 West Capitol Avenue
 Little Rock, AR 72201-3325

John Brubaker, Clerk
 P.O. Box 2708
 Greensboro, NC 27402-2708

John M. Waters, Clerk
 40 U.S. Post Office Bldg.
 211 19th Street
 Rock Island, IL 61201

John M. Waters, Clerk
 218 U.S. Courthouse
 201 South Vine Street
 Urbana, IL 61801

Joseph A. Haas, Clerk
 128 United States Courthouse
 400 South Phillips Avenue
 Sioux Falls, SD 57102

Joseph W. Skupniewitz, Clerk
 U.S. District Court
 P.O. Box 432
 Madison, WI 53701-0432

Karen S. Mitchell, Clerk
 310 U.S. Courthouse
 501 West 10th Street
 Fort Worth, TX 76102-3643

~~Lance S. Wilson, Clerk~~
~~Lloyd D. George U.S. Courthouse~~
~~333 Las Vegas Boulevard, South~~
~~Las Vegas, NV 89101~~

Luther D. Thomas, Clerk
 P.O. Box 1186
 Rome, GA 30162-1186

Marge Krahn, Clerk
 P.O. Box 307
 Council Bluffs, IA 51502

Marge Krahn, Clerk
 P.O. Box 9344
 Des Moines, IA 50306-9344

Michael E. Kunz, Clerk
 2609 James A. Byrne
 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106-1797

Michael N. Milby, Clerk
 P.O. Box 2300
 Galveston, TX 77553-2300

Michael N. Milby, Clerk
 United States District Court
 P.O. Box 61010
 Houston, TX 77208-1010

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PAGE 2 of 2

Michael N. Milby, Clerk
P.O. Box 597
Laredo, TX 78040-0597

Michael N. Milby, Clerk
P.O. Box 5059
McAllen, TX 78502-5059

Michael W. Dobbins, Clerk
Everett McKinley Dirksen
U.S. Courthouse
219 South Dearborn Street
Chicago, IL 60604

Norbert G. Jaworski, Clerk
U.S. District Court
P.O. Box 249
E. St. Louis, IL 62202-0249

Perry D. Mathis, Clerk
140 Hugo L. Black U.S.
Courthouse
1729 5th Avenue North
Birmingham, AL 35203

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140 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
Birmingham, AL 35203

Perry D. Mathis, Clerk
U.S. Post Office & Courthouse
101 Holmes Avenue, N.E.
Huntsville, AL 35801

Philip B. Lombardi, Clerk
411 Page Belcher Federal Bldg.
& U.S. Courthouse
333 W. 4th Street
Tulsa, OK 74103-3819

Richard Sletten, Clerk
202 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Richard W. Wieking, Clerk
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3489

Robert C. Heinemann, Clerk
130 United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201-1818

Robert D. Dennis, Clerk
1210 U.S. Courthouse
200 N.W. 4th Street
Oklahoma City, OK 73102-3092

Robert H. Shemwell, Clerk
1167 U.S. Courthouse
300 Fannin Street
Shreveport, LA 71101-3083

Robert V. Barth, Jr., Clerk
U.S. District Court
P.O. Box 1805
Pittsburgh, PA 15230-1805

Rodney C. Early, Clerk
2120 Kenneth B. Keating Federal
Building
100 State Street
Rochester, NY 14614-1368

Sheryl L. Loesch, Clerk
2-194 U.S. Courthouse
& Federal Building
2110 First Street
Fort Myers, FL 33901

Sheryl L. Loesch, Clerk
U.S. District Court
311 West Monroe Street
Jacksonville, FL 32201

Sheryl L. Loesch, Clerk
U.S. District Court
207 NW Second Street
Ocala, FL 34475

Sheryl L. Loesch, Clerk
218 Sam M. Gibbons
U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602-3800

Sue Beitia, Clerk
C-338 Prince Kuhio Federal Building
300 Ala Monan Boulevard
Honolulu, HI 96850

Teresa Deppner, Clerk
P.O. Box 5009
Beckley, WV 25801-5009

Teresa Deppner, Clerk
Post Office Box 2546
Charleston, WV 25329-2546

W. Samuel Hamrick, Jr., Clerk
4290 Edward J. Schwartz Federal
Building
880 Front Street
San Diego, CA 92101-8900

William G. Putnicki, Clerk
U.S. Courthouse
200 West 8th Street
Austin, TX 78701

William G. Putnicki, Clerk
John H. Wood, Jr.
U.S. Courthouse
655 East Durango Boulevard
San Antonio, TX 78206-1198

William G. Putnicki, Clerk
20 St. Charles Place
600 Austin Avenue
Waco, TX 76703

William M. McCool, Clerk
226 U.S. Courthouse
One North Palafax Street
Pensacola, FL 32501-5625

~~William M. McCool, Clerk~~
~~U.S. Courthouse~~
~~111 North Adams Street~~
~~Tallahassee, FL 32301-7795~~